

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

SUHAIL NAJIM ABDULLAH AL SHIMARI, )  
*et al.*, )  
Plaintiffs, )  
v. ) No. 1:08-cv-0827 LMB-JFA  
CACI PREMIER TECHNOLOGY, INC., )  
Defendant, )

**DEFENDANT CACI PREMIER TECHNOLOGY, INC.'S  
MOTION FOR JUDGMENT AS A MATTER OF LAW**

Pursuant to Federal Rule of Civil Procedure 50, Defendant CACI Premier Technology, Inc. (“CACI”) respectfully moves for judgment as a matter of law against Plaintiffs on all of their remaining claims. The trial in this matter demonstrated that no reasonable jury, properly instructed on the law, could find CACI liable. A retrial is unwarranted because the evidence was fully vetted at the first trial, with the exception of evidence that will forever remain unavailable because of the state secrets privilege, and the available evidence amply demonstrated that CACI is entitled to judgment as a matter of law on multiple grounds. These grounds include (1) application of the borrowed servant doctrine; (2) CACI’s inability to receive a fair trial because of the state secrets privilege; and (3) that the evidence presented at this trial, and which would be presented in any retrial, demonstrates that Plaintiffs do not have evidence sufficient to support a jury verdict in their favor on their allegations of aiding and abetting or conspiratorial conduct by CACI employees. Plaintiffs’ claims also are legally deficient on several additional grounds. The bases for CACI’s motion are set forth more fully in the accompanying Memorandum.

Wherefore, CACI respectfully requests that the Court grant this motion.

Respectfully submitted,

/s/ John F. O'Connor

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## CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of May, 2024, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the below-listed counsel.

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